

PATENT

ATTORNEY DOCKET NO. 07043/063001

U.C. Case No. B98-020-1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Peter C. Simpson, et al.
Serial No.: 08/965,738
Filed : November 7, 1997
Title : MICROFABRICATED CAPILLARY ARRAY ELECTROPHORESIS
DEVICE AND METHOD

Assistant Commissioner for Patents
Washington, DC 20231

DECLARATION BY THE INVENTOR(S)

As a below-named inventor(s), I hereby declare that:

My residence, post office address and citizenship are
as stated next to my name.

I believe I am an original and joint inventor of the
subject matter which is claimed and for which a patent is sought
on the invention entitled MICROFABRICATED CAPILLARY ARRAY
ELECTROPHORESIS DEVICE AND METHOD, the specification of which

☐ is filed concurrently herewith.

☒ was filed on November 7, 1997, as Application
Serial No. 08/965,738.

I hereby state that I have reviewed and understand the
contents of the above-identified specification, including the
claims.

I acknowledge the duty to disclose information which is
material to the examination of this application in accordance
with Title 37, Code of Federal Regulations, Section 1.56.

Please direct all correspondence and telephone calls to
William J. Egan, III, Reg. No. 28,411 Fish & Richardson P.C.,
2200 Sand Hill Road, Suite 100, Menlo Park, California 94025,
(650) 322-5070.

00649272-092900
006660-22664500

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole or first and joint inventor: Peter C. Simpson
Inventor's signature Peter C. Simpson
Date: April 10, 1998
Residence: Oakland, California
Citizen of: United States
Post Office Address: 95 Linda Avenue, #308, California 94611

Full name of second and joint inventor: Richard A. Mathies
Inventor's signature Richard A. Mathies
Date: April 10, 1998
Residence: Moraga, California
Citizen of: United States
Post Office Address: 93 Danefield Place, Moraga, California 94556-1224

Full name of third and joint inventor: Adam T. Woolley
Inventor's signature Adam T. Woolley
Date: April 15, 1998
Residence: Belmont, Massachusetts
Citizen of: United States
Post Office Address: 45 Dartmouth Street, Apt. #1, Belmont, Massachusetts 02178-3643

IN THE U.S. PATENT AND TRADEMARK OFFICE

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POWER OF ATTORNEY BY ASSIGNEE AND ELECTION OF
ASSIGNEE TO CONDUCT PROSECUTION TO EXCLUSION OF INVENTOR(S)

The undersigned, as authorized representative of the assignee of the entire right, title and interest in the above-identified application, hereby appoints

William J. Egan, III, Reg. No. 28,411; David J. Goren, Reg. No. 34,609; Valeta Gregg, Reg. No. 35,127; Hans R. Troesch, Reg. No. 36,950; Wayne P. Sobon, Reg. No. 32,438; Reginald J. Suyat, Reg. No. 28, 172; Bao Q. Tran, Reg. No. 37,955

as its attorneys to prosecute the application and to transact all business in the Patent and Trademark Office connected therewith with full powers of substitution and revocation, said appointment to be to the exclusion of the inventor(s) and his attorney(s) in accordance with the provisions of 37 C.F.R. § 3.71 *et seq.* of the Patent Office Rules of Practice.

Ownership is in the assignee by virtue of the assignment documents filed concurrently herewith. The documents evidencing ownership have been reviewed and to the best of the assignee's knowledge and belief, title is in the assignee.

Please direct all communications regarding the application to the attorney at the address and telephone numbers indicated below.

William J. Egan, Esq.
FISH & RICHARDSON P.C.
2200 Sand Hill Road, Suite 100
Menlo Park, California 94025
Telephone: (650) 322-5070
Facsimile: (650) 854-0875

Date

May 4, 1998 
William A. Hoskins
Director

Assignee: THE REGENTS OF THE UNIVERSITY OF CALIFORNIA
Office of Technology Licensing
2150 Shattuck Avenue, Suite 510
Berkeley, California 94720

ASSIGNMENT

U.C. Case No. B98-020-1

For good and valuable consideration, the receipt of which is hereby acknowledged, ASSIGNOR(S),

Peter C. Simpson, Richard A. Mathies, and Adam T. Woolley

hereby sells, assigns and transfers to ASSIGNEE, The Regents of the University of California, a California corporation, having its statewide administrative offices located at 300 Lakeside Drive, 22nd Floor, Oakland, California 94612-3550, and the successors, assigns and legal representatives of the ASSIGNEE all of its right, title and interest for the United States and its territorial possessions and in all foreign countries in and to, any and all improvements which are disclosed in the invention entitled:

MICROFABRICATED CAPILLARY ARRAY ELECTROPHORESIS DEVICE AND METHOD

and which is found in

- (a) _____ U.S. Patent application executed on _____, entitled as above and listing the above named persons as inventors
- (b) X U.S. application Serial No. 08/965,738, filed on November 7, 1997
- (c) _____ U.S. Patent No. _____, issued _____

and any legal equivalent thereof in a foreign country, including the right to claim priority and, in and to, all Letters Patent to be obtained for said invention by the above application or any continuation, division, continuation-in-part, extension or substitute thereof, and any reissue, reexamination or extension of said Letters Patent and all rights under all International Conventions for the Protection of Industrial Property;

ASSIGNOR(S) hereby covenants that no assignment, sale, agreement or encumbrance has been or will be made or entered into which would conflict with this assignment;

ASSIGNOR(S) further covenants that ASSIGNEE will, upon its request, be provided promptly with all pertinent facts and documents relating to said invention and said Letters Patent and legal equivalents as may be known and accessible to ASSIGNOR and will testify as to the same in any interference, litigation, or proceeding relating thereto and will promptly execute and deliver to ASSIGNEE or its legal representative any and all papers, instruments, or affidavits required to apply for, obtain, maintain, issue, or enforce said application, said invention, and said Letters Patent and said equivalents thereof which may be necessary or desirable to carry out the purposes thereof. An attorney of record is authorized and requested by the execution of this assignment to insert into this assignment the filing date and serial number of said application when officially known.

AND the ASSIGNOR(S) requests the Commissioner of Patents and Trademarks to issue said Letters Patent of the United States and any reissue or extension thereof to the ASSIGNEE, The Regents of the University of California.

Executed this

10th day of April, 1998

Signature of Inventor(s)

Peter C. Simpson
Peter C. Simpson

10th day of April, 1998

Richard A. Mathies
Richard A. Mathies

15th day of April, 1998

Adam T. Woolley
Adam T. Woolley

Applicant or Patentee: Peter C. Simpson, et al.

Serial or Patent No.: 08/965,738

Filed or Issued: November 7, 1997

For: MICROFABRICATED CAPILLARY ARRAY ELECTROPHORESIS DEVICE AND METHOD

**VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS
(37 CFR 1.9(f) and 1.27(d)) - NONPROFIT ORGANIZATION**

I hereby declare that I am an official empowered to act on behalf of the nonprofit organization identified below:

Name of Organization: The Regents of the University of California
Address of Organization: 300 Lakeside Drive, 22nd Floor, Oakland, California 94612-3550
Type of Organization:

- ☒ UNIVERSITY OR OTHER INSTITUTION OF HIGHER EDUCATION
☐ TAX EXEMPT UNDER INTERNAL REVENUE SERVICE CODE (26 USC 501(a) and 501(c)(3))
☐ NONPROFIT SCIENTIFIC OR EDUCATIONAL UNDER STATUTE OF STATE OF THE UNITED STATES OF AMERICA
(NAME OF STATE: California)
(CITATION OF STATUTE:)
☐ WOULD QUALIFY AS TAX EXEMPT UNDER INTERNAL REVENUE SERVICE CODE (26 USC 501(a) and 501(c)(3)) IF
LOCATED IN THE UNITED STATES OF AMERICA
☐ WOULD QUALIFY AS NONPROFIT SCIENTIFIC OR EDUCATIONAL UNDER STATUTE OF STATE OF THE UNITED STATES OF
AMERICA IF LOCATED IN THE UNITED STATES OF AMERICA
(NAME OF STATE: California)
(CITATION OF STATUTE:)

I hereby declare that the nonprofit organization identified above qualifies as a nonprofit organization as defined in 37 CFR 1.9(e) for purposes of paying reduced fees under section 41(a) and (b) of Title 35, United States Code with regard to the invention entitled MICROFABRICATED CAPILLARY ARRAY ELECTROPHORESIS DEVICE AND METHOD by inventor(s) Peter C. Simpson, Richard A. Mathies, and Adam T. Woolley described in

- ☐ the specification filed herewith.
☒ application serial no. 08/965,738, filed November 7, 1997.
☐ patent no. _____, issued _____.

I hereby declare that rights under contract or law have been conveyed to and remain with the nonprofit organization with regard to the above identified invention.

If the rights held by the nonprofit organization are not exclusive, each individual, concern or organization having rights to the invention is listed below* and no rights to the invention are held by any person, other than the inventor, who could not qualify as a small business concern under 37 CFR 1.90 or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

*NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

Full Name: The Regents of the University of California
Address: 300 Lakeside Drive, 22nd Floor, Oakland, California 94612-3550

☐ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☒ NONPROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

Name: William A. Hoskins

Title: Director, University of California at Berkeley

Address: Office of Technology Licensing, 2150 Shattuck Avenue, Suite 510
Berkeley, California 94720

Signature: [Signature]

Date: May 4, 1998